

College: USC Rookie Yr: 2005
Ht., Wt.: 6'0", 238
ITULA MILI
Seattle Seahawks/TE/#88
College: Brigham Young Rookie Yr: 1998
Ht., Wt.: 6'4", 260
WAYNE HUNTER
Seattle Seahawks/T/#73
College: Hawaii Rookie Yr: 2003
Ht., Wt.: 6'5", 303

The SPEAKER pro tempore. Under a previous order of the House, the gentlewoman from California (Ms. LEE) is recognized for 5 minutes.

(Ms. LEE addressed the House. Her remarks will appear hereafter in the Extensions of Remarks.)

AMERICA'S ENERGY POLICIES

Mr. McDERMOTT. Mr. Speaker, I ask unanimous consent to claim the time of the gentlewoman from California (Ms. LEE).

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Washington?

There was no objection.

The SPEAKER pro tempore. Under a previous order of the House, the gentleman from Washington (Mr. McDERMOTT) is recognized for 5 minutes.

Mr. McDERMOTT. Mr. Speaker, last night we heard the President deliver his State of the Union message from this Hall. By the light of day, today, we know that the glow was artificial and the highlights were inaccurate at best.

I will enter into the RECORD at this point a story from today's Los Angeles Times.

[From the Los Angeles Times, Feb. 1, 2006]

BUSH STRETCHES TO DEFEND SURVEILLANCE

(By Peter Wallsten and Maura Reynolds)

WASHINGTON.—President Bush received a roaring ovation Tuesday for his prime-time defense of wiretapping phone calls without warrants. But Bush's explanation relied on assumptions that have been widely questioned by experts who say the president offers a debatable interpretation of history.

Defending the surveillance program as crucial in a time of war, Bush said that "previous presidents have used the same constitutional authority" that he did. "And," he added, "federal courts have approved the use of that authority."

Bush did not name names, but was apparently reiterating the argument offered earlier this month by Atty. Gen. Alberto R. Gonzales, who invoked Presidents Lincoln, Wilson and Franklin D. Roosevelt for their use of executive authority.

However, warrantless surveillance within the United States for national security purposes was struck down by the U.S. Supreme Court in 1972—long after Lincoln, Wilson, and Roosevelt stopped issuing orders. That led to the 1978 passage of the Foreign Intelligence Surveillance Act that Bush essentially bypassed in authorizing the program after the Sept. 11 attacks.

Since the surveillance law was enacted, establishing secret courts to approve surveillance, "the Supreme Court has not touched this issue in the area of national security," said William Banks, a national security expert at Syracuse Law School.

"He might be speaking in the broadest possible sense about the president exercising his

authority as commander-in-chief to conduct a war, which of course federal courts have upheld since the beginning of the nation," Banks said. "If he was talking more particularly about the use of warrantless surveillance, then he is wrong."

Bush's historical reference on domestic spying marked one of several points in his speech in which he backed up assertions with selective uses of fact, or seemed to place a positive spin on his own interpretation.

On his headline-grabbing pledge to decrease U.S. reliance on Middle East oil by 75% over the next 20 years, Bush's words seemed to suggest a dramatic new program to reduce dependence on foreign oil.

But experts point out that the U.S. gets only a fraction—about 10%—of its oil imports from the Middle East. In fact, the majority now comes from Canada and Mexico—and Bush said nothing on Tuesday about them.

Speaking about Iraq, Bush argued that "our coalition has been relentless in shutting off terrorist infiltration." But he may have left the wrong impression about how far U.S.-led forces have gotten in closing off the huge border areas, especially the 375-mile-long one between Syria and Iraq.

Administration officials have often complained that the Syrian government does little to police the border and have said it may not be possible to close it, given its size.

Two weeks ago, Rep. H. James Saxton (R-NJ), chairman of a House Armed Services subcommittee, complained in a column in the Washington Times that the border is "extremely porous" and called for new steps to cut off the flow of enemy fighters.

Bush made a number of claims for his economic stewardship that were technically accurate but told only a part of the story.

"In the last 2½ years, America has created 4.6 million new jobs," Bush said. Although the claim is essentially true, he did not say that the United States lost 2.6 million jobs in the first 2½ years of his presidency.

"In the last five years," Bush continued, "the tax relief you passed has left \$880 billion in the hands of American workers, investors, small businesses and families, and they have used it to help produce more than four years of uninterrupted economic growth."

But to many economists, the cause-and-effect relationship is not so stark; they credit tax cuts of 2001 and 2003 with helping to turn around a stagnant economy, but now they worry that the resulting deficits may retard it.

"Every year of my presidency, we have reduced the growth of non-security discretionary spending," Bush said. True again, but this represents less than 20% of all spending. Including defense and the giant benefit programs such as Social Security and Medicare, spending has risen by about 30% in the five Bush years.

The president also seemed to ignore Supreme Court precedent when he called for Congress to give him the "line item veto." But Congress did that once, in 1996, and it was used once, by former President Clinton. But in 1998, a federal judge ruled that it was unconstitutional. That was affirmed by a 6-3 decision of the Supreme Court.

Bush praised his administration's efforts to help the Gulf Coast recover from Hurricane Katrina. "A hopeful society comes to the aid of fellow citizens in times of suffering and emergency, and stays at it until they are back on their feet," he said.

But Bush omitted any mention of tensions between Gulf State officials and the administration over responsibility for the botched response to the storm. "There was nothing in terms of new money," said Rep. Bennie Thompson (D-Miss.). Perhaps Bush's most

controversial language came as he defended the surveillance program.

The president echoed earlier administration assertions that the domestic surveillance program would have been useful before the Sept. 11 attacks. Bush said two Sept. 11 hijackers living in San Diego made telephone calls to Al Qaeda associates overseas, but that "we did not know about their plans until it was too late."

However, The Times has previously reported that some U.S. counterterrorism officials knowledgeable about the case blame an interagency communications breakdown, not a surveillance failure or shortcomings of the Foreign Intelligence Surveillance Act.

Point by point, the Times compared the President's rhetoric to America's reality. They are not even close. Here is what the Times said about the President's domestic spying program. Defending the surveillance program is crucial in a time of war. Bush said that Presidents have used the same constitutional authority that he did, and he said Federal courts have approved the use of that authority.

Bush did not name names, but was apparently reiterating the argument offered earlier by the Attorney General, Alberto Gonzales, who invoked Presidents Lincoln, Wilson, and Franklin Delano Roosevelt for their use of executive authority.

However, warrantless surveillance within the United States for national security purposes was struck down by the U.S. Supreme Court in 1972, long after Lincoln, Wilson, and Roosevelt stopped issuing orders.

This led to the passage of the 1978 Foreign Intelligence Surveillance Act that Bush essentially bypassed in authorizing the program after September 11. The analysis comes from one of America's bedrock institutions of journalism, facts, not spin.

Here is the analysis of the President's remarks about the war. Speaking about Iraq, Bush argued that "our coalition has been relentless in shutting off terrorism infiltration." But he may have left the wrong impression about how U.S.-led forces have gotten in closing off the huge border areas, especially the 375-mile border between Syria and Iraq.

Administration officials have often complained the Syrian Government does little to police the border, and many have said it may not be possible to close it given its size.

Let me mention one other example. The President finally got religion on America's energy crisis. But he needs an atlas and a vision. Here is what the Times said. On his headline-grabbing pledge to decrease U.S. reliance on Middle Eastern oil by 75 percent over the next 20 years, Bush's words seem to suggest a dramatic new program to reduce dependence on foreign oil.

But experts point out that the U.S. gets only a fraction, about 10 percent, of its oil imports from the Middle East. In fact, the majority comes from Canada and Mexico, and Bush said nothing Tuesday night about them.

I was proud the President used my words in his speech: "America is addicted to oil." But he did not give a